

Article - Transportation

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§17-301.

(a) If a person made a security deposit of money under the financial responsibility law as it existed before January 1, 1973, the person or his personal representative may apply to the Maryland Automobile Insurance Fund for and is entitled to a refund of the deposit, without interest, if:

(1) An action for damages arising out of the accident for which the deposit was made is not pending against the person on whose behalf the deposit was made;

(2) An unpaid judgment does not exist in favor of any person as a result of an action arising from the accident for which the deposit was made;

(3) A claim is not pending against the Unsatisfied Claim and Judgment Fund Board or its successor for damages arising out of the accident for which the deposit was made; and

(4) The executive director of the Maryland Automobile Insurance Fund, on the advice of the Attorney General, is satisfied by a reasonable preponderance of the evidence that the person is legally entitled to the deposit.

(b) If there is a claim pending against the Unsatisfied Claim and Judgment Fund Board or its successor, that claim is a lien against the amount deposited in favor of the Unsatisfied Claim and Judgment Fund Board or its successor.

(c) Neither subsection (a) of this section nor any other provision of law may be construed to prevent the use of the deposit:

(1) To satisfy any final judgment rendered against the depositor that has been docketed within 3 years from the date of the accident and not assigned to the Unsatisfied Claim and Judgment Fund or its successor; or

(2) In the payment of any claim on the instruction of the depositor.

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